

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**BLAINE MILAM,**  
*Petitioner,*

v.

**BOBBY LUMPKIN,** Director,  
Texas Department of  
Criminal Justice, Correctional  
Institutions Division,  
*Respondent.*

Case No. 6:20-cv-00646

**Capital Case**

**NOTICE OF APPEAL**

***Execution date: January 21, 2020***

Notice is hereby given that Petitioner, Blaine Milam, pursuant to 28 U.S.C. § 1291, 28 U.S.C. § 2253(c), and Federal Rule of Appellate Procedure 4, appeals to the United States Court of Appeals for the Fifth Circuit from the following final orders of this Court:

1. This Court's Order of Transfer (ECF 9), dated December 17, 2020, transferring Mr. Milam's petition for writ of habeas corpus to the United States Court of Appeals for the Fifth Circuit.

Because Mr. Milam previously proceeded *in forma pauperis* in this Court, he requests to do the same in the United States Court of Appeals for the Fifth Circuit.

Respectfully submitted this 18th day of December, 2020,

/s/ Jennae Swiergula

Jennae R. Swiergula  
Texas Defender Service  
1023 Springdale Road #14E  
Austin, TX 78721  
512-320-8300  
jswiergula@texasdefender.org

/s/ Jeremy Schepers

Jeremy Schepers  
Supervisor, Capital Habeas Unit  
Office of the Federal Public Defender  
Northern District of Texas  
525 S. Griffin St., Ste. 629  
Dallas, TX 75202  
214-767-2746  
214-767-2286 (fax)  
Jeremy\_Schepers@fd.org

### **Certificate of Service**

I, Jeremy Schepers, hereby certify that on the 18th day of December, 2020, a copy of the foregoing notice of appeal was delivered via ECF to the Texas Attorney General's Office, counsel Tomee Heining.

/s/ Jeremy Schepers

Jeremy Schepers